

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Assignor/Owner:

Agere Systems Guardian Corp.

Application No./Patent No.:

00/0000094

Filed/Issued Date:

January 12, 2001

Entitled: Method And Rake Receiver For Code-Tracking In Communication SystemsAgere Systems Guardian Corp., corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is :

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From _____ Inventor(s) To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

6-20-01

Date

Richard J. Botos

Typed or printed name

Richard J. Botos

Signature

Corporate Counsel

Title

EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).


ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

By: 
Fred M. Romano
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)

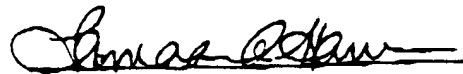
: ss:

COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

TAMORA ANNE HANNA

Notary Public

Notary Public of New Jersey

My Commission Expires: Registered in Hunterdon County

[Notarial Seal]

My Commission Expires March 25, 2002

STATE OF FLORIDA)

: ss:

COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

Notary Public

My Commission Expires:

[Notarial Seal]



APPENDIX B (continued)
Transferred Patents (patent disclosures)

Case Name	IDS No.	Country	Serial No.	Filing Date
Addinall 3-2	119594 EPC		99309843	12/7/1999
Ammer 1-1	121017 EPC		303383.4	4/20/2000
Awater 11-13-10	122141 EPC		304239.7	5/19/2000
Awater 5-13	120083 EPC		303793.4	5/5/2000
Awater 6-14	120084 EPC		303784.3	5/5/2000
Awater 7-3-15	120110 EPC		310290.2	11/20/2000
Awater 8-35	121577 EPC		300397.7	1/20/2000
Baltersee 1-1-1	121008 EPC		300268	1/14/2000
Baltersee 2-2-2	121514 EPC		300254	1/14/2000
Baltersee 3-3-3	122055 EPC		104637.4	3/3/2000
Bar-David 9-10-18	114558 EPC		99303282	4/27/1999
Boer 4-5-1-6-5	120934 EPC		308184.1	9/20/2000
Brook 1-2-2	122536 EPC		304276.9	5/19/2000
Buckley 1	119438 EPC		9916972.4	7/20/1999
Buckley 1-1-1-2-1	117033 PCT		PCT/EP99/09027	11/11/1999
Buckley 2	119440 EPC		NULL	NULL
Buckley 3-1-2	122144 EPC		303977.3	5/11/2000
Busch 1-1	123325 EPC			NULL
Busch 2-2	123326 EPC			NULL
<u>Busking 2</u>	<u>7 GR BRIT</u>		<u>9019486.1</u>	<u>9/6/1990</u>
Canning 1-1-1-1	121133 EPC			NULL
Chambers 1	122265 EPC			NULL
Chapman 1	119419 EPC		NULL	NULL
Chapman 2	119435 EPC		9918792.4	8/10/1999
Chapman 4	119439 EPC		NULL	NULL
Chapman 5-4-5	121579 GR BRIT		5486.6	3/7/2000
Chapman 6-1-5	121887 GR BRIT		15105	6/20/2000
Chastanet 1	117218 FRANCE		8713646	10/2/1987
Chastanet 2-1-3	117248 FRANCE		9108065	6/28/1991
Cook 4-1	120446 EPC		99307660	9/28/1999
Cook 5-2	120447 EPC		99307661	9/28/1999
Cronin 1-1-1-1-1	121612 EPC			NULL
Davies 1-1-1-3-1	116205 EPC		98307490	9/15/1998
De Boer 1	118234 EPC		99302185	3/22/1999
De Boer 2-1	120534 EPC		NULL	NULL
Diepstraten 21-10-8	120711 EPC		300343.1	1/19/2000
Diepstraten 22-12-2-2	122133 EPC		306496.1	7/31/2000
Dietsche 1	120004 EPC		302954.3	4/7/2000
Dietsche 2	120005 EPC		309321.8	10/23/2000
Dittrich 1-1-19	120731 EPC		106914.5	3/31/2000
Dittrich 2-2-20	122004 EPC			NULL
Drueke 1-1	7 GERMANY		P4318339.5	6/2/1993
Duan 2-4-2	121023 CHINA			NULL
Dubel 1	112669 GERMANY		P4013477.6	4/27/1990
Dubel 3	112669 GERMANY		P3538184.1	10/26/1985
Eikelenboom 1-11-9-10	120712 EPC		302533.5	3/28/2000



ASSIGNMENT AND AGREEMENT

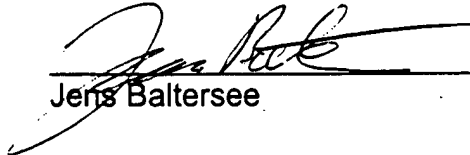
For value received, we, Jens Baltersee, of Koeln in the Country of Fed. Rep. of Germany, and Gunnar Fock, of Aachen in the Country of Fed. Rep. of Germany, and Peter Schulz-Rittich, of Aachen in the Country of Fed. Rep. of Germany, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey, 07974-0636, U.S.A. and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **Method And Rake Receiver For Code-Tracking In Communication Systems** described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.


Jens Baltersee

Date: 15th day of February, 2001

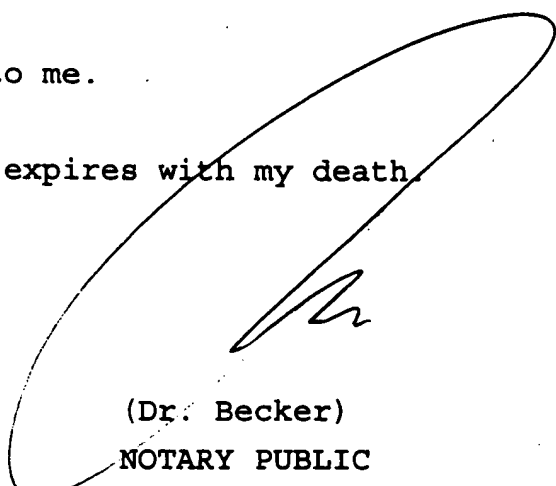
On this _____ day of _____, 20____, before
me personally came, Jens Baltersee to me known to be the individual described
in and who executed the foregoing instrument, and acknowledged execution of
the same.

Notary Public

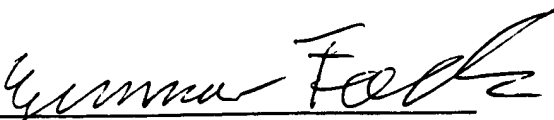
On this 15th day of February, 2001, before me personally came, **JENS BALTERSEE**, born 25.04.1971, address: 50937 Köln-Sülz, Münstereifeler Straße 23, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

He is personally known to me.

My function as a notary expires with my death.



(Dr. Becker)
NOTARY PUBLIC



Gunnar Fock

Date: 15th day of February, 2001

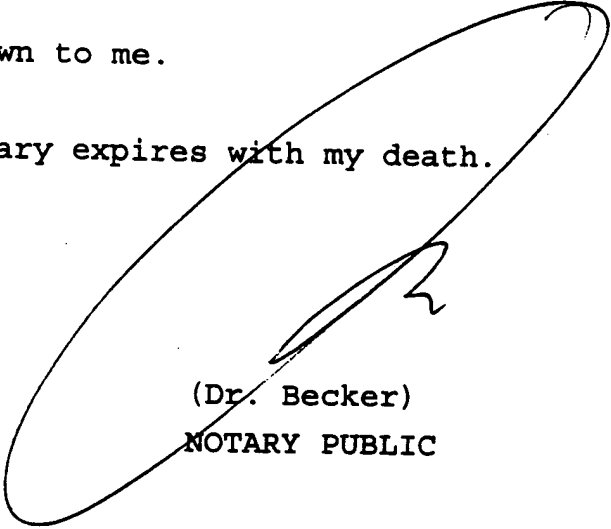
~~On this _____ day of _____, 20____, before~~
me personally came, Gunnar Fock to me known to be the individual described in
and who executed the foregoing instrument, and acknowledged execution of the
same.

Notary Public

On this 15th day of February, 2001, before me personally came, **DIRK GUNNAR FOCK**, born 03.04.1971, address: 52074 Aachen, Kullenhofwinkel 28, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

He is personally known to me.

My function as a notary expires with my death.



(Dr. Becker)
NOTARY PUBLIC



Peter Schulz-Rittich

Date: 15th day of February, 2001

On this _____ day of _____, 20____, before
me personally came, Peter Schulz-Rittich to me known to be the individual
described in and who executed the foregoing instrument, and acknowledged
execution of the same.

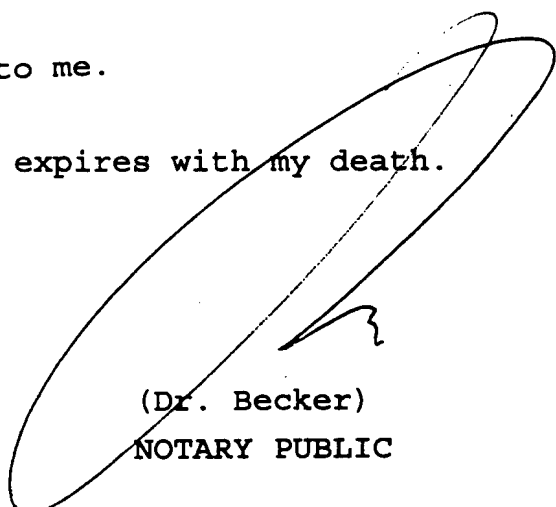
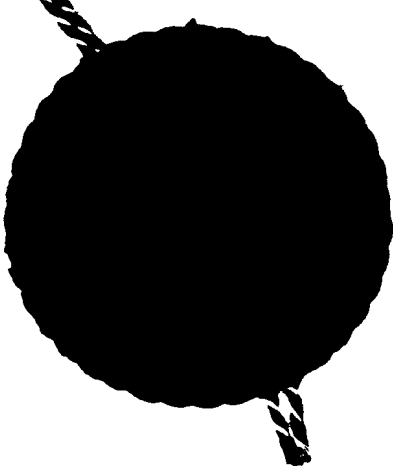
Notary Public

Lucent Technologies Inc.
600 Mountain Avenue (Room 3C-512)
P. O. Box 636
Murray Hill, New Jersey 07974-0636

On this 15th day of February, 2001, before me personally came, **PETER SCHULZ-RITTICH**, born 30.10.1972, address: 52074 Aachen, Am Weißenberg 6, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

He is personally known to me.

My function as a notary expires with my death.



(Dr. Becker)
NOTARY PUBLIC

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Land: Bundesrepublik Deutschland

Diese öffentliche Urkunde

2. Ist unterschrieben von Dr. Becker

3. in seiner Eigenschaft als Notar in Aachen

4. sie ist versehen mit dem ~~Stempel~~ Siegel des ~~Notars~~ Notars

Bestätigt

5. in Aachen 6. am 19. Feb. 01
7. durch den Präsidenten des Landgerichts in Aachen
8. unter Nr. 91a E - 7.212 - 7.213

9. Stempel/~~Stempel~~



10. Unterschrift:

Gerber
(Gerber)